

## REMARKS

This is intended as a full and complete response to the Office Action dated April 4, 2008, having a shortened statutory period for response set to expire on July 4, 2008. Please reconsider the claims pending in the application for reasons discussed below.

Claims 1-22 are pending in the application. Claims 1-22 remain pending following entry of this response. Claims 1, 16, 22 have been amended. Applicants submit that the amendments do not introduce new matter.

### Interview Summary

On July 3, 2008, a telephonic interview was held between Gero G. McClellan, attorney of record, Syed S. Ahmed, technical advisor, and the Examiner of Record, Koushik Patel. The parties discussed the cited references including *Haupt*. Claim 1 was discussed. The parties also discussed proposed amendments to claim 1. The proposed amendments are reflected in this response.

During the interview, Applicants argued that *Haupt* does not anticipate claim 1. No agreement could be reached at the time of the interview, but the Examiners agreed to reconsider the claims in light of the proposed amendments and arguments presented herein.

### Claim Rejections - 35 U.S.C. § 103

Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Haupt* (US Patent No. 6,334,159) and further in view of *Halbert et al.* ((US Patent No. 6,317,352) herein after *Halbert*).

Applicants respectfully traverse this rejection.

The Examiner bears the initial burden of establishing a prima facie case of obviousness. See MPEP § 2141. Establishing a prima facie case of obviousness begins with first resolving the factual inquiries of *Graham v. John Deere Co.* 383 U.S. 1 (1966). The factual inquiries are as follows:

- (A) determining the scope and content of the prior art;
- (B) ascertaining the differences between the claimed invention and the prior art;

- (C) resolving the level of ordinary skill in the art; and
- (D) considering any objective indicia of nonobviousness.

Once the Graham factual inquiries are resolved, the Examiner must determine whether the claimed invention would have been obvious to one of ordinary skill in the art.

Respectfully, Applicants submit that after ascertaining the differences between the cited references and the present claims, all of the claim limitations of the present claims are not disclosed in the cited references. Accordingly, a prima facie case of obviousness has not been established.

For example, regarding claim 1, nowhere does *Haupt* and *Halbert*, alone or in combination, disclose a memory control device configured to generate commands, wherein the commands comprise a plurality of command segments with a respective plurality of elements, wherein one of the command segments is a selection command segment for selecting at least two memory banks simultaneously, and wherein each of the memory banks has at least one uniquely associated element of the selection command segment. Claims 16 and 22 recite similar claim limitations.

The Examiner argues that *Haupt* discloses the limitation of commands which comprise a plurality of command segments with a respective plurality of elements at Figure 1, Element 120A. However, element 120A is in fact directed to a processing device, specifically a processing module (POD) that can access either I/O modules 140 or memory storage units 110. See *Haupt*, Figure 1. The POD 120 can access the I/O modules 140 and memory storage units 110 via a command bus, address bus, and a data bus. See *Haupt*, col. 34-62. Thus, while the POD may be able to issue commands, it is not a command itself. Therefore, *Haupt* does not disclose the limitation of commands which comprise a plurality of command segments with a respective plurality of elements”

The Examiner also argues that *Haupt* discloses the limitation, “wherein one of the command segments is a selection command segment for selecting at least two memory banks simultaneously, and wherein each of the memory banks has at least one uniquely associated element of the selection command segment.” The Examiner argues *Haupt* discloses this element in Figure 2, Elements 535A, 535B, 535C, and 535D. As disclosed in *Haupt*, each of these elements are memory clusters that are stored in a

directory storage array. See *Haupt*, Figure 4, Elements 630A, 630B. To access a memory cluster, a switching mechanism (*i.e.* the data crossbar (MDA) 530) is provided that routes data between the POD's 120 and an addressed one of the memory clusters 535. See *Haupt*, col. 6, lines 8, 21, Figure 2. Thus, this implies that a command to access the memory clusters includes information about an address of the memory cluster. However, *Haupt* does not disclose anything about the command including information to address at least two memory clusters simultaneously. Therefore, *Haupt* does not disclose "wherein one of the command segments is a selection command segment for selecting at least two memory banks simultaneously, and wherein each of the memory banks has at least one uniquely associated element of the selection command segment."

Therefore, the withdrawal of the rejection to claims 1, 16, 22 and the claims that depend therefrom is respectfully requested.

Therefore, the claims are believed to be allowable, and allowance of the claims is respectfully requested.

Conclusion

Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted, and  
**S-signed pursuant to 37 CFR 1.4,**

/Gero G. McClellan, Reg. No. 44,227/

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